

# Notice of Allowability

Application No.

10/719,840

Examiner

David A. Rogers

Applicant(s)

LOVELL ET AL.

Art Unit

2856

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07 September 2004.
2. ☒ The allowed claim(s) is/are 1-76.
3. ☒ The drawings filed on 26 April 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was given in a telephone interview with Douglas Swartz, Attorney-of-Record, on 26 October 2004.

The application has been amended as follows:

***Replace claim 1 with the following:***

1. A method for detecting a high boiling point and/or a low vapor pressure material, comprising:

directing radiation from a radiation source onto a surface potentially comprising a high boiling point and/or low vapor pressure material, wherein, during a time interval of no more than about  $1/100^{\text{th}}$  seconds, the directed radiation has a cumulative energy of at least about 1,200 Joules to volatilize the material;

collecting an airborne sample at and/or near the surface, wherein the airborne sample comprises at least a portion of any high boiling point and/or low vapor pressure material on the surface; and

detecting whether or not the high boiling point and/or low vapor pressure material is present in the collected sample.

***Replace claim 26 with the following:***

26. A system for detecting a high boiling point and/or a low vapor pressure material, comprising:

a radiation source operable to direct radiation onto a surface potentially comprising a high boiling point and/or low vapor pressure material, wherein, during a time interval of no more than about  $1/100^{\text{th}}$  seconds, the directed radiation has a cumulative energy of at least about 1,200 Joules to volatilize the material;

a sample handling system operable to collect an airborne sample at and/or near the surface; and

a detector operable to detect whether or not the high boiling point and/or low vapor pressure material is present in the collected sample.

***Replace claim 51 with the following:***

51. A system for detecting a high boiling point and/or a low vapor pressure material, comprising:

radiation emitting means for emitting radiation onto a surface potentially comprising a high boiling point and/or low vapor pressure target material, wherein, during a time interval of no more than about  $1/100^{\text{th}}$  seconds, the directed radiation has a cumulative energy of at least about 1,200 Joules, said cumulative energy accomplishes at least one of (a) increasing a vapor pressure of the target material, (b) displacing small particles from the surface, at least some of the small particles carrying the target material, and (c) volatilizing a non-target substance, the volatilized non-target substance displacing the target material;

a sample handling means for collecting an airborne sample at and/or near the surface; and

a detector means for detecting whether or not the high boiling point and/or low vapor pressure target material is present in the collected sample.

***Allowable Subject Matter***

2. Claims 1-76 are allowed.

***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David A. Rogers whose telephone number is (571) 272-2205. The examiner can normally be reached on Monday - Friday (0730 - 1600).

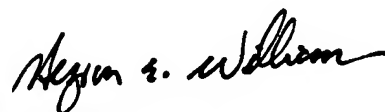
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron E. Williams can be reached on (571) 272-2208.

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The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
26 October 2004

  
HEZHON WILLIAMS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800